



Planning Commission Work Session Staff Report

September 27, 2006

Item 6.c.

SUBJECT: PUD-93-02-09M

**APPLICANT/
PROPERTY OWNER:** Barnabus Nagy

PURPOSE: Workshop to review and provide comment for a proposal to allow the conversion of the existing Ruby Hill sales office to a restaurant, the revision of the configuration of the existing parking lot, the establishment of a new driveway off of Vineyard Avenue, and a future home site with design guidelines.

GENERAL PLAN: Agriculture/Grazing and the South Livermore Valley Area Plan

ZONING: PUD/OS/A/LDR (Planned Unit Development/Open Space/Agriculture/Low Density Residential) District.

LOCATION: 2001 Ruby Hill Drive

ATTACHMENTS: Exhibit A – Written Narratives, dated “Received September 11, 2006”; Site Plan and Elevations, dated “Received, September 12, 2006”;
Exhibit B -- Planning Commission Discussion Points
Exhibit C -- Comments from HOA and Neighbors
Exhibit D -- Comments from Tri-Valley Conservancy
Exhibit E -- Traffic Study
Location Map

I. BACKGROUND

The Ruby Hill development, Planned Unit Development by Signature Properties, consists homes, golf course, open spaces, and vineyard/wineries. It was originally approved by Alameda County and was then annexed to Pleasanton. Development of the site is subject to the County's planned development conditions of approval, incorporated in the City's PUD approval (PUD-93-02). Consistency with the South Livermore Valley Area Plan policies and conservation easements previously executed between Signature Properties and the South Livermore Valley Agricultural Land Trusts is import.

Permitted uses for this property, established by the Ruby Hill PUD development plan, included a temporary sales office, planted wine grapes, vineyard maintenance facilities, irrigation detention ponds, and other functions ancillary to wine production as determined by the Planning Director. Other proposals including a change in use for the existing sales office, a winery, a tasting complex, a residence, or an event center would require the submittal of an application for a PUD major modification.

The proposed development is to convert the existing Ruby Hill sales office to a sit-down restaurant. Included in the proposal are reconfiguration of the existing parking lot, and establishing a new driveway off Vineyard Avenue, and a future home site. A PUD major modification is filed with the Planning Department.

II. SITE DESCRIPTION

The subject site is located to the northwest of the Ruby Hill entrance. It is a portion of a much larger vineyard property, planted by Signature Properties with the Ruby Hill Development and operated by Wentz Brothers. Access to the site is provided by an access driveway from Ruby Hill Drive just before the gate to the development. This driveway is referred as the farm road providing vehicular access that is related to the vineyard operations.

The site is approximately 36 acres in size. The South Livermore Valley Agricultural Land Trusts allows development to occur on a 2.5-acre site, including the access road to the development.

The site is surrounded by the following uses:

North:	Gravel Quarries
East:	Vineyards and the Ruby Hill Development
South:	Vineyards and the Ruby Hill Development
West:	Vineyards and Commercial (Palm Event Center)

III. PROJECT DESCRIPTION

The proposed development includes the following:

- ▣ A restaurant with outdoor dining;
- ▣ Parking lot reconfiguration;
- ▣ Establishment of a new driveway off of Vineyard Avenue; and,
- ▣ A future home site with Design Guidelines.

No modification is proposed to the exterior of the existing sales office building. The interior would need to be modified so that it would meet the building, fire, and health codes for a restaurant.

The applicant proposes that the restaurant would be open daily serving lunch and dinner, from 11:00 a.m. to 11:00 p.m. The restaurant would accommodate banquets and special events. The outside terrace area would be used for outdoor dining when weather permits.

Live music would be played during dining hours, however, no later than 10:00 p.m.

The existing parking would be relocated towards the east, closer to Ruby Hill Drive. The purpose of the relocation is that the new parking lot would lessen the disturbance to the vineyards and that it would provide additional vehicular queuing area.

The proposed future residence would be located on the west side of the existing bridge. The Design Guidelines shows a home that would have Tuscan design features, and that is suitable for the vineyard setting.

IV. DISCUSSION

This workshop is a process for the Planning Commission to provide direction and comment to both the applicant and staff. The Commission's direction on the queries listed in this report would be very helpful to staff.

The Tri-Valley Conservancy (TVC) has reviewed the proposal and it does not have concerns. A copy of TVC's correspondence is attached as Exhibit D.

A traffic study was prepared by Dowing Associates, Inc. The study includes the follow areas:

- ▣ Traffic counts at targeted intersections, such as Vineyard Avenue/Isabel Avenue, Valley Avenue/Stanley, Bernal Avenue/Vineyard Avenue, and Ruby Hill Drive/Vineyard,

- during AM and PM peak hour;
- Data analysis;
- Develop mitigation measures

The study finds that the additional trips from the proposed project would not change the Level Of Service (LOS) at any of the studies intersections; however, it would add new peak hour trips to the intersection of Stanley and Bernal which has an existing LOS E. The study includes mitigation measures. The study also recommends that the access to the proposed project be shifted easterly for safety concerns. A copy of the study is attached as Exhibit E.

The Fire Department has the following comments concerning the future location of the residence:

- The proposed access road to the residence does not include a turn-around area. If the driveway of the future home is to be used as the turn-around area, it needs to be reviewed and approved by the Fire Department.
- If the existing bridge is to be used as part of the access road to the future home, this bridge must then be able to sustain the load of a fire truck.
- It is strongly recommended that the applicant seek permission from Ruby Hill Homeowners Association to gain direct access from Ruby Hill Drive to the future home location.

Ruby Hill HOA and Ruby Hill Residents Comments

The Ruby Hill HOA held a special meeting on June 29, 2006 to review the proposal. The HOA Board of Directors provided the following comments. Planning staff addressed these comments as indicated below, italicized:

- Impact on the existing sewer lift station

Due to grade/elevation difference, sewage from the subject site needs to be pump in order to be connected to the City's sanitary system.

The applicant proposes not to connect the sewage generated from the restaurant to Ruby Hill's private sewer lift station or private sewer line. Instead, it would be directly connected to the City's sewer connection on Vineyard Avenue. Therefore, there would be no additional sewer capacity added to the Ruby Hill's sewer system.

- Safety and traffic concerns

The proposal shows a new entrance from Vineyard Avenue to the restaurant site.

The existing driveway off Ruby Hill Drive is to provide access to farm vehicles; thus, it is not to be used for the restaurant. Staff finds that this new entrance is supportable provided that the location is reviewed as per the traffic study.

□ Other possible uses if the restaurant fails

There was concerns about what uses may be allowed if the restaurant fails.

The uses allowed and conditionally allowed on the subject site are specified by the Ruby Hill PUD and South Livermore Valley Plan. Change of uses in the future would require City's review prior to commencement. Ruby Hill HOA and residents would be notified at that time.

□ Noise impact to nearby residents

The proposed hours are 11:00 a.m. to 11:00 p.m.

As stated, live music and outdoor terrace dining would be used; plus the restaurant has banquet rooms to host larger events. As a reference, no music is allowed at the existing Palm Event Center.

Directions Needed:

1. The site allows for commercial uses that include event center, wine tasting complex, etc. The surrounding sites allow a residential use. The applicant is requesting a PUD modification to allow the construction of his family home and use of the existing Ruby Hill sales office as a restaurant. Staff finds that a restaurant use is suitable for the site. The residence use would be appropriate provided that it follows the proposed design guidelines.

Should the proposed restaurant use be supported?

2. In consideration of nearby residential uses, would the proposed hours of operation reasonable, including the terrace dining? Should live music be allowed outside the building?
3. Should the future house location be considered at this time given the concerns addressed by the Fire Department? Is the architecture of the proposed development compatible and complimentary to the existing facility?

V. PUBLIC COMMENT

Public notices were sent to all property owners and tenants within a 1,000-foot radius of the subject property. Tom and Julie Lynch, Nisha Nagdev, and Donald Hubbard have addressed their concerns. Please refer to Exhibit C.

VI. ENVIRONMENTAL ASSESSMENT

Since the Planning Commission will take no formal action on the project at the workshop, no environmental document accompanies this workshop report.

VII. STAFF RECOMMENDATION

Staff recommends that the Planning Commission take public testimony, review the proposed project and provide directions to the applicant and staff.

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